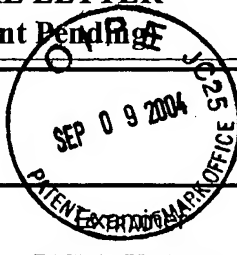


TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
WFS.004C

In Re Application Of: Daniel R. Neal et al.



Application No.
10/673,569

Filing Date
09/30/2003

DUDA, Kathleen

Customer No.

Group Art Unit

1756

Confirmation No.

1614

Title: **APODIZED MICRO-LENSES FOR HARTMANN WAVEFRONT SENSING AND METHOD
FOR FABRICATING DESIRED PROFILES**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR
PATENT**

in the above identified application.

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Dated: 9 September 2004

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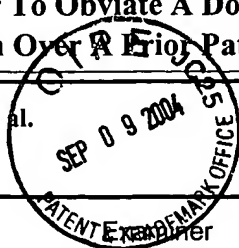
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Patenting Rejection Over A Prior Patent**

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WFS.004C

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Application No.
10/673,569

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09/30/2003

Examiner
DUDA, Kathleen

Customer No.

Group Art Unit
1756

Confirmation No.
1614

Invention: **APODIZED MICRO-LENSES FOR HARTMANN WAVEFRONT SENSING AND METHOD
FOR FABRICATING DESIRED PROFILES**

Owner of Record: **WAVEFRONT SCIENCES, INC.**

COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,656,373. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney of record.

Adam C. Volentine
Typed or Printed Name

Dated: 9 September 2004

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☐ PTO suggested wording for terminal disclaimer was unchanged.
☐ Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.